

MINUTES FOR THE
ARIZONA BOARD OF BARBERS
November 20, 2006

Arthur Dean Knox presided and called the meeting to order at 10:30 a.m. Roll was called with all members present. Also present were Marc Harris, Assistant Attorney General, Sam LaBarbera, Executive Director, Sam Barcelona, Administrative Assistant and Mary Jane Jones, Administrative Secretary.

Present:	Arthur Dean Knox	Michael Bogle
	Ross Pacheco	Jackie Gill-Solares
	Terry Lara	

Jackie Gill-Solares moved to approve the minutes of September 11, 2006. Ross Pacheco seconded the motion; motion passed unanimously.

Status Update and Proposed Consent Agreement -- Complaint No. 2007-001

Freddy Cedano (Establishment License No. 1460-E) and Complaint No. 2007-002 Tommy Stevens (Barber License No. 4721). Sam LaBarbera reported that both parties had signed their consent agreements and paid their fines.

Informal Interview -- Complaint No. 2007-003 -- Maria Araujo (Establishment License No. 1061-E). Maria Araujo was present with an interpreter and represented herself. Mr. LaBarbera reported that during an inspection he found a student to be working in this establishment. Ms. Araujo said the student had been paid to act as a cashier and to wash hair. She did not know the student was doing hair.

Ms. Gill-Solares moved for a formal hearing. Michael Bogle seconded the motion; motion passed unanimously. Marc Harris reminded the Board there needed to be three components to a consent agreement and an order: findings of fact, conclusion of law and an order. If you are comfortable with these components as set forth in the Informal Interview, you can adopt these into your motion for a consent agreement and then you can discuss the order. Mr. Bogle moved that in lieu of the formal hearing and based on the findings of fact and conclusion of law from the Notice of Informal Interview to offer a consent agreement. Ms. Gill-Solares seconded the motion; motion passed unanimously. Mr. Bogle moved to offer a consent agreement with a civil penalty of \$500 payable in 60 days and a one-year probation and if the consent agreement is not signed in 30 days the matter will proceed to a formal hearing. Ms. Gill-Solares seconded the motion; motion passed unanimously.

Informal Interview -- Complaint No. 2007-004 Maritza Castillo (Barber License No. 4857). Maritza Castillo was present with an interpreter and represented herself. Ms. Gill-Solares informed the Board that Ms. Castillo is a student at Arizona Barber-Styling College; however, she feels that she can be impartial and did not recluse herself. Mr. Barcelona said that during his inspection he saw Ms. Castillo performing a haircut. Ms. Castillo admitted she was barbering without a license and that it was illegal. She said she started cutting hair when she was in the salon alone.

Ms. Gill-Solares moved for a formal hearing. Michael Bogle seconded the motion; motion passed unanimously. Mr. Bogle moved that in lieu of the formal hearing and based on the findings of fact and conclusion of law from the Notice of Informal Interview to offer a consent agreement and if the consent agreement is not signed within thirty (30) days this matter will proceed to a formal hearing. Ross Pacheco seconded the motion; motion passed unanimously. Mr. Bogle moved that the consent agreement contain a civil penalty of \$500 and no probation at this time. Ms. Gill-Solares seconded the motion; motion passed unanimously. Mr. Bogle moved that the civil penalty be paid within sixty (60) days and the consent order signed within thirty (30) days. Ms. Gill-Solares seconded the motion; motion passed unanimously.

The Board then agreed that any motion for a consent agreement will contain the language that the consent agreement needs to be signed in thirty (30) days or it will proceed to a formal hearing and that any civil penalty will be paid within sixty (60) days.

Informal Interview -- Complaint No. 2007-005 Paula Campos (Establishment License No. 0092-E). Paula Campos was present with an interpreter and represented herself. Sam LaBarbera informed the Board that he found a barber student working there as a barber. Her sister, Brisa Campos, was acting as the manager. Mr. Harris said the Board does have jurisdiction over the owner and the Board may also bring in additional individuals, such as the manager. Ms. Campos says she became aware an unlicensed person was working in her establishment after the inspection.

Mr. Bogle moved for a formal hearing and that in lieu of a formal hearing and based on the findings of fact and conclusion of law from the Notice of Informal Interview to offer a consent agreement to include a civil penalty of \$500 and one-year probation. Ms. Gill-Solares seconded the motion; motion passed unanimously.

Ms. Gill Solares moved to call Brisa Campos for an informal interview based on the information that she is the listed manager of this establishment. Mr. Bogle seconded the motion; motion passed unanimously.

Informal Interview – Complaint No. 2007-006 Maribel Carvajal (Student Barber Card No. 5117). Maribel Carvajal was present with an interpreter and represented herself. Ms. Gill-Solares informed the Board that Ms. Carvajal is a student at Arizona Barber-Styling College; however, she feels that she can be impartial and did not recluse herself. Ms. Carvajal said she has finished her classes and is waiting to take her examination. Ms. Carvajal said her sister, Guadalupe Carvajal, had asked her to work at the shop that day but she is not an employee of the shop.

Mr. Bogle moved for a formal hearing but in lieu of a formal hearing and based on the findings of fact and conclusion of law from the Notice of Informal Interview to offer Maribel Carvajal a consent agreement, contingent upon her taking and passing her examination, with a \$500 civil penalty. Ms. Gill-Solares seconded the motion. The motion passed with Michael Bogle, Jackie Gill-Solares and Terry Lara voting aye; Arthur Dean Knox and Ross Pacheco voting nay.

Ms. Gill-Solares moved to call Guadalupe Carvajal for an informal interview. Mr. Bogle seconded the motion; motion passed unanimously.

Informal Interview – Complaint No. 2007-007 Cecilio Escobedo (Establishment License No. 0389-E). Cecilio Escobedo was not present. The manager, Daniel Aguilera, takes the responsibility because the owner is 80 years old and no longer goes to the shop.

Marc Harris left the meeting.

Mr. Bogle moved to proceed to a formal hearing. Ms. Gill-Solares seconded the motion; motion passed unanimously.

Informal Interview – Complaint No. 2007-008 Daniel M. Aguilera (Barber License No. 2134). Daniel Aguilera was present and represented himself. Mr. LaBarbera reported that he found two barber students working at this shop during an inspection. Mr. Aguilera was acting as the manager. Mr. Aguilera said Isaac Bedolla was at the shop to take his father's place because the father was ill and Christian Espinosa was occasionally asked to work as a barber instead of as a sweeper. He is aware that he broke the law.

Mr. Bogle moved for a formal hearing but in lieu of a formal hearing and based on the findings of fact and conclusion of law from the Notice of Informal Interview to offer a consent agreement to Daniel Aguilera with a \$500 civil penalty and one year probation. Ms. Gill-Solares seconded the motion; motion passed unanimously.

Informal Interview – Complaint No. 2007-009 Isaac Bedolla (Barber License No. 4886). Isaac Bedolla was present and represented himself. Mr. LaBarbera reported that Mr. Bedolla was one of the students working in Complaint No. 2007-008. Mr. Bedolla said his father did not ask him to work.

Mr. Pacheco moved for a formal hearing but in lieu of a formal hearing and based on the findings of fact and conclusion of law from the Notice of Informal Interview to offer a consent agreement to Isaac Bedolla with a \$500 civil penalty and one year probation. Mr. Bogle seconded the motion; motion passed unanimously.

Informal Interview – Complaint No. 2007-010 Christian Espinosa (Student Barber Card No. 5617). Christian N. Espinosa was present and represented himself. Mr. LaBarbera reported that Mr. Espinosa was one of the students working in Complaint No. 2007-008. Mr. Espinosa said that he has not yet completed his hours. He said he was suspended from the school because of working in this shop. He has been telling all of his friends not to work without a license.

Ms. Gill-Solares moved for a formal hearing but in lieu of a formal hearing and based on the findings of fact and conclusion of law from the Notice of Informal Interview to offer a consent agreement to Christian Espinosa with a \$500 civil penalty, to be suspended if he stays in school, passes the barber examination and completes 20 hours of service to a shelter within 60 days effective date of order. Mr. Pacheco seconded the motion; motion passed unanimously.

Informal Interview – Complaint No. 2007-011 Jose D. Vasquez (Barber License No. 4095).

Jose Vasquez was not present. Mr. LaBarbera reported that he was investigating a complaint referred by the Cosmetology Board that a barber was working in a cosmetology shop. Mr. Vasquez called the office to report that he had no way to get to this interview because of car problems. Mr. LaBarbera reported that both Mr. Vasquez and the shop owner said they did not know they needed a license from this Board. It is currently licensed.

Mr. Bogle moved to have the Staff find out what action the Cosmetology Board took on their inspection. Ms. Gill- Seconded the motion; motion passed unanimously.

Mr. Bogle moved to continue this informal interview for either a conference call or an appearance. Ms. Gill-Solares seconded the motion; motion passed unanimously.

Informal Interview – Complaint No. 2007-012 Express Beauty Salon LLC (Establishment License No. 1435-E) and Liliana Byrd (Barber License No. 4359). Express Beauty Salon and Liliana Byrd were not present. Mr. LaBarbera reported that he inspected this shop and found a barber student working as a barber.

Mr. Bogle moved to proceed to a formal hearing. Ms. Gill-Solares seconded the motion; motion passed unanimously.

Informal Interview – Complaint No. 2007-013 Erika Andrade (Barber License No. 4870).

Erika Andrade was not present. Ms. Gill-Solares informed the Board that Ms. Carvajal is a student at Arizona Barber-Styling College; however, she feels that she can be impartial and did not recluse herself. Mr. LaBarbera reported Ms. Andrade was the barber student working in Complaint No. 2007-012. This student had taken her examination two days prior to the inspection.

Ms. Gill-Solares moved to proceed to a formal hearing. Mr. Bogle seconded the motion; motion passed unanimously.

Inspection of Ruth Cubillo (Establishment License No. 1146-E). Mr. LaBarbera reported that during an inspection of this establishment he found two students working at the establishment.

Ms. Gill-Solares moved to call Ruth Cubillo for an informal interview. Mr. Bogle seconded the motion; motion passed unanimously.

Mr. Bogle moved to call Abraham Cubillo, Juan Cuevas, Sergio Antunaiz and Claudia dela Mora for an informal interview. Ms. Gill-Solares seconded the motion; motion passed unanimously.

Mr. Bogle requested the students appear first, next the barbers and then the shop owner at the informal interviews..

Update of USA Barber College. Mr. LaBarbera reported this school has been sold and a new instructor has been hired.

The next meeting will be determined later.

Adjournment. Mr. Pacheco moved to adjourn. Ms. Gill-Solares seconded the motion; motion passed unanimously.

Sincerely,

November 20, 2006

Arthur Dean Knox, Chairman

Mary Jane Jones, Secretary